

Docket No.: 1254-0230P
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Takeharu MURAMATSU et al.

Application No.: 10/618,762

Confirmation No.: 6012

Filed: July 15, 2003

Art Unit: 2876

For: CODE STRUCTURE AND CODE READING
TERMINAL

Examiner: D. St. Cyr

RESPONSE TO NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF

MS Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant requests that the Notification of Non-Compliant Appeal Brief mailed January 29, 2008, be withdrawn. Applicant provides that the present Appeal Brief of December 6, 2007 is sufficient for appeal. In particular, Applicant provides that the statement of status of withdrawn claims 1-3 as "pending," is proper.

A telephone conversation has been conducted with the Examiner's Supervisor on February 6, 2008, in which the Supervisor acknowledged that the statement of status of claims 1-3 is proper.

Please withdraw the Notification of Non-Compliant Appeal Brief and continue processing the subject appeal.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Robert W. Downs (Reg. No.48,222) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Date: February 7, 2008

Respectfully submitted,

By Robert Down #48,222
Terrell C. Birch
Registration No.: 19,382
BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Road
Suite 100 East
P.O. Box 747
Falls Church, Virginia 22040-0747
(703) 205-8000
Attorney for Applicant